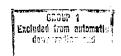CLC 71-1096
OGC 71-1523

6 October 1971

MEMORANDUM FOR THE RECORD

SUBJECT: Symington Amendment

1. Talked with Mr. Maurice H. Lanman, OSD Counsel, about the Symington Amendment. In confidence, Mr. Lanman indicated that he was in effect preparing the DOD reclama to go to the conferees. In it he is pointing out the accounting difficulties, as Symington apparently recognized, for the first six months but he goes on to point out that it will remain difficult to reconcile the DOD system of accounting in the future with the provisions of the amendment.

2. Mr. Lanman indicated that before this paper went forward it would have to go to the White House and he was guessing that Kissinger would tell DOD to go to the Hill to get the amendment knocked out. At this point Mr. Lanman conceded that probably he would be concerned with compromise proposals including legislative modifications or, at the very least, modifying language in the report.

3. As to specifics, Mr. Lanman agreed that the ceiling language is so broad that technically it should include, for example, the embassy in Laos and certainly our station. He pointed out the difficulties in preparation of the quarterly reports where State, AID, USIA, DOD, and CIA were involved. He indicated that he has an AID figure at the moment which he knows does not include the AID personnel in Laos. When queried about who would prepare the report, Mr. Lanman indicated it undoubtedly would fall in DOD's lap although it should be OMB.

4. I queried Lanman on the one-third valuation aspect. Lanman indicated it was normal DOD practice that where equipment was not to be replaced it would be set at one-third of value and that they

Army, OGC and OSD reviews completed

GROUP 1
Excluded from automatic
downgrading and

in the Pentagon were in no position to question certifications by people at UDORN and elsewhere in the field as to non-replacement.

    5. Mr. Lanman promised to be in touch with us at the point where efforts are being made, if they are to be made, to modify legislative language or insert language in the report.

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cc: OLC